

AMENDED IN ASSEMBLY APRIL 10, 2003

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

ASSEMBLY BILL

No. 138

Introduced by Assembly Member Lowenthal

January 16, 2003

An act to add Section 2076 to the Business and Professions Code, relating to physicians and surgeons.

LEGISLATIVE COUNSEL'S DIGEST

AB 138, as amended, Lowenthal. Physicians and surgeons: exemption for out-of-state physicians and surgeons traveling with a sports team.

Existing law, the Medical Practice Act, provides for the licensure and regulation of physicians and surgeons by the Medical Board of California in the Department of Consumer Affairs. Existing law makes the practice of medicine without a license issued by the board punishable as a misdemeanor offense, subject to specified exemptions.

This bill would exempt a physician and surgeon from the licensure requirements of the act for a specified time period if the physician and surgeon is licensed in another state or country and is traveling with a sports team for a specific sporting event.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 2076 is added to the Business and
- 2 Professions Code, to read:

1 2076. (a) Notwithstanding any other provision of law, a
2 physician and surgeon who is licensed to practice medicine in
3 another state or country shall be exempt from licensure
4 requirements under this act while practicing medicine in this state
5 if all of the following conditions are met:

6 (1) The physician and surgeon has an oral or written agreement
7 with a sports team to provide general or emergency medical care
8 to the team members, coaching staff, and families traveling with
9 the team for a specific sporting event to take place in this state.

10 (2) Except as provided in Section 2058 or 2060, the physician
11 and surgeon may not provide care or consultation to any person
12 residing in this state, other than a person described in paragraph
13 (1).

14 (b) The exemption shall remain in force while the physician
15 and surgeon is traveling with the team, but shall be no longer than
16 10 days per individual sporting event.

17 (c) The executive director may grant a physician and surgeon
18 additional time for exemption, up to 20 additional days per
19 sporting event, upon prior request by the physician and surgeon.
20 The total number of days a physician may be exempt, including
21 additional time granted upon request, may not exceed 30 days per
22 sporting event.

23 (d) *A physician and surgeon who is exempt from licensure*
24 *requirements under this section is not authorized to practice*
25 *medicine at a health care clinic or facility, including an acute care*
26 *facility.*

